

1 **TITLE X—MISCELLANEOUS**
2 **PROVISIONS**
3 **Subtitle A—Sportfishing and**
4 **Recreational Boating Safety**

5 **SEC. 10101. SHORT TITLE.**

6 This subtitle may be cited as the “Sportfishing and
7 Recreational Boating Safety Act of 2005”.

8 **CHAPTER 1—DINGELL-JOHNSON SPORT**
9 **FISH RESTORATION ACT AMENDMENTS**

10 **SEC. 10111. AMENDMENT OF DINGELL-JOHNSON SPORT**
11 **FISH RESTORATION ACT.**

12 Except as otherwise expressly provided, whenever in
13 this chapter an amendment or repeal is expressed in terms
14 of an amendment to, or repeal of, a section or other provi-
15 sion, the reference shall be considered to be made to a
16 section or other provision of the Dingell-Johnson Sport
17 Fish Restoration Act (16 U.S.C. 777 et seq.).

18 **SEC. 10112. AUTHORIZATION OF APPROPRIATIONS.**

19 (a) IN GENERAL.—Section 3 (16 U.S.C. 777b) is
20 amended—

21 (1) by striking “the succeeding fiscal year.” in
22 the third sentence and inserting “succeeding fiscal
23 years.”; and



1 (2) by striking “in carrying on the research
2 program of the Fish and Wildlife Service in respect
3 to fish of material value for sport and recreation.”
4 and inserting “to supplement the 57 percent of the
5 balance of each annual appropriation to be appor-
6 tioned among the States, as provided for in section
7 4(c).”.

8 (b) CONFORMING AMENDMENTS.—

9 (1) IN GENERAL.—The first sentence of section
10 3 (16 U.S.C. 777b) is amended—

11 (A) by striking “Sport Fish Restoration
12 Account” and inserting “Sport Fish Restora-
13 tion and Boating Trust Fund”; and

14 (B) by striking “that Account” and insert-
15 ing “that Trust Fund, except as provided in
16 section 9504(c) of the Internal Revenue Code of
17 1986”.

18 (2) EFFECTIVE DATE.—The amendments made
19 by paragraph (1) take effect on October 1, 2005.

20 **SEC. 10113. DIVISION OF ANNUAL APPROPRIATIONS.**

21 Section 4 (16 U.S.C. 777c) is amended—

22 (1) by striking subsections (a) through (c) and
23 redesignating subsections (d), (e), (f), and (g) as
24 subsections (b), (c), (d), and (e), respectively;



1 (2) by inserting before subsection (b), as rededesignated by paragraph (1), the following:

3 “(a) IN GENERAL.—For each of fiscal years 2006
4 through 2009, the balance of each annual appropriation
5 made in accordance with the provisions of section 3 remaining after the distributions for administrative expenses
6 and other purposes under subsection (b) and for
7 multistate conservation grants under section 14 shall be
8 distributed as follows:

10 “(1) COASTAL WETLANDS.—An amount equal
11 to 18.5 percent to the Secretary of the Interior for
12 distribution as provided in the Coastal Wetlands
13 Planning, Protection, and Restoration Act (16
14 U.S.C. 3951 et seq.).

15 “(2) BOATING SAFETY.—An amount equal to
16 18.5 percent to the Secretary of the department in
17 which the Coast Guard is operating for State recreational boating safety programs under section
18 13106 of title 46, United States Code.

20 “(3) CLEAN VESSEL ACT.—An amount equal to
21 2.0 percent to the Secretary of the Interior for qualified projects under section 5604(c) of the Clean Vessel Act of 1992 (33 U.S.C. 1322 note).

24 “(4) BOATING INFRASTRUCTURE.—An amount
25 equal to 2.0 percent to the Secretary of the Interior



1 for obligation for qualified projects under section
2 7404(d) of the Sportfishing and Boating Safety Act
3 of 1998 (16 U.S.C. 777g–1(d)).

4 “(5) NATIONAL OUTREACH AND COMMUNICA-
5 TIONS.—An amount equal to 2.0 percent to the Sec-
6 retary of the Interior for the National Outreach and
7 Communications Program under section 8(d) of this
8 Act. Such amounts shall remain available for 3 fiscal
9 years, after which any portion thereof that is unobli-
10 gated by the Secretary for that program may be ex-
11 pended by the Secretary under subsection (c) of this
12 section.”;

13 (3) by striking (b)(1)(A), as redesignated by
14 paragraph (1), and inserting the following:

15 “(A) SET-ASIDE FOR ADMINISTRATION.—
16 From the annual appropriation made in accord-
17 ance with section 3, for each of fiscal years
18 2006 through 2009, the Secretary of the Inte-
19 rior may use no more than the amount specified
20 in subparagraph (B) for the fiscal year for ex-
21 penses for administration incurred in the imple-
22 mentation of this Act, in accordance with this
23 section and section 9. The amount specified in
24 subparagraph (B) for a fiscal year may not be
25 included in the amount of the annual appro-



1 priation distributed under subsection (a) for the
2 fiscal year.”;

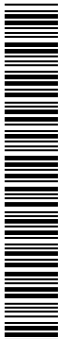
3 (4) by striking “Secretary of the Interior, after
4 the distribution, transfer, use, and deduction under
5 subsections (a), (b), (c), and (d), respectively, and
6 after deducting amounts used for grants under sec-
7 tion 14, shall apportion the remainder” in subsection
8 (c), as redesignated by paragraph (1), and inserting
9 “Secretary, for each of fiscal years 2006 through
10 2009, after the distribution, transfer, use and deduc-
11 tion under subsection (b), and after deducting
12 amounts used for grants under section 14 of this
13 title, shall apportion 57 percent of the balance”;

14 (5) by striking “per centum” each place it ap-
15 pears in subsection (c), as redesignated by para-
16 graph (1), and inserting “percent”;

17 (6) by striking “subsections (a), (b)(3)(A),
18 (b)(3)(B), and (c)” in paragraph (1) of subsection
19 (e), as redesignated by paragraph (1), and inserting
20 “paragraphs (1), (3), (4), and (5) of subsection
21 (a)”;

22 (7) by adding at the end the following:

23 “(f) TRANSFER OF CERTAIN FUNDS.—Amounts
24 available under paragraphs (3) and (4) of subsection (a)
25 that are unobligated by the Secretary of the Interior after



1 3 fiscal years shall be transferred to the Secretary of the
2 department in which the Coast Guard is operating and
3 shall be expended for State recreational boating safety
4 programs under section 13106(a) of title 46, United
5 States Code.”.

6 **SEC. 10114. MAINTENANCE OF PROJECTS.**

7 Section 8 (16 U.S.C. 777g) is amended—

8 (1) by striking “in carrying out the research
9 program of the Fish and Wildlife Service in respect
10 to fish of material value for sport or recreation.” in
11 subsection (b)(2) and inserting “to supplement the
12 57 percent of the balance of each annual appropria-
13 tion to be apportioned among the States under sec-
14 tion 4(c).”; and

15 (2) by striking “subsection (c) or (d)” in sub-
16 section (d)(3) and inserting “subsection (a)(5) or
17 subsection (b)”.

18 **SEC. 10115. BOATING INFRASTRUCTURE.**

19 Section 7404(d)(1) of the Sportfishing and Boating
20 Safety Act of 1998 (16 U.S.C. 777g–1(d)(1)) is amended
21 by striking “section 4(b)(3)(B) of the Act entitled ‘An Act
22 to provide that the United States shall aid the States in
23 fish restoration and management projects, and for other
24 purposes,’ approved August 9, 1950, as amended by this



1 Act,” and inserting “section 4(a)(4) of the Dingell-John-
2 son Sport Fish Restoration Act”.

3 **SEC. 10116. REQUIREMENTS AND RESTRICTIONS CON-**
4 **CERNING USE OF AMOUNTS FOR EXPENSES**
5 **FOR ADMINISTRATION.**

6 Section 9 (16 U.S.C. 777h) is amended—

7 (1) by striking “section 4(d)(1)” in subsection
8 (a) and inserting “section 4(b)”;

9 (2) by striking “section 4(d)(1)” in subsection
10 (b)(1) and inserting “section 4(b)”.

11 **SEC. 10117. PAYMENTS OF FUNDS TO AND COOPERATION**
12 **WITH PUERTO RICO, THE DISTRICT OF CO-**
13 **LUMBIA, GUAM, AMERICAN SAMOA, THE COM-**
14 **MONWEALTH OF THE NORTHERN MARIANA**
15 **ISLANDS, AND THE VIRGIN ISLANDS.**

16 Section 12 (16 U.S.C. 777k) is amended by striking
17 “in carrying on the research program of the Fish and
18 Wildlife Service in respect to fish of material value for
19 sport or recreation.” and inserting “to supplement the 57
20 percent of the balance of each annual appropriation to be
21 apportioned among the States under section 4(b) of this
22 Act.”.

23 **SEC. 10118. MULTISTATE CONSERVATION GRANT PRO-**
24 **GRAM.**

25 Section 14 (16 U.S.C. 777m) is amended—



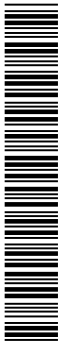
1 (1) by striking so much of subsection (a) as
2 precedes paragraph (2) and inserting the following:

3 “(a) IN GENERAL.—

4 “(1) AMOUNT FOR GRANTS.—For each of fiscal
5 years 2006 through 2009, not more than \$3,000,000
6 of each annual appropriation made in accordance
7 with the provisions of section 3 shall be distributed
8 to the Secretary of the Interior for making
9 multistate conservation project grants in accordance
10 with this section.”;

11 (2) by striking “section 4(e)” each place it ap-
12 pears in subsection (a)(2)(B) and inserting “section
13 4(c)”; and

14 (3) by striking “Of the balance of each annual
15 appropriation made under section 3 remaining after
16 the distribution and use under subsections (a), (b),
17 and (c) of section 4 for each fiscal year and after
18 deducting amounts used for grants under subsection
19 (a)—” in subsection (e) and inserting “Of amounts
20 made available under section 4(b) for each fiscal
21 year—”.



1 **SEC. 10119. EXPENDITURE OF REMAINING BALANCE IN**
2 **BOAT SAFETY ACCOUNT.**

3 The Act is amended by redesignating section 15 (16
4 U.S.C. 777 note) as section 16, and by inserting after sec-
5 tion 14 the following:

6 **“SEC. 15. EXPENDITURE OF REMAINING BALANCE IN BOAT**
7 **SAFETY ACCOUNT.**

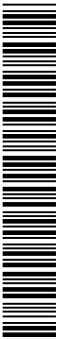
8 “Amounts remaining in the Boat Safety Account on
9 October 1, 2005, and amounts thereafter credited to the
10 Account under section 9602(b) of the Internal Revenue
11 Code of 1986, shall be available, without further appro-
12 priation, for making expenditures before October 1, 2010,
13 to carry out the purposes of this section and shall be dis-
14 tributed as follows:

15 “(1) In fiscal year 2006, \$28,155,000 shall be
16 distributed—

17 “(A) under section 4 of this Act in the fol-
18 lowing manner:

19 “(i) \$11,200,000 to be added to funds
20 available under subsection (a)(2) of that
21 section;

22 “(ii) \$1,245,000 to be added to funds
23 available under subsection (a)(3) of that
24 section;



1 “(iii) \$1,245,000 to be added to funds
2 available under subsection (a)(4) of that
3 section;

4 “(iv) \$1,245,000 to be added to funds
5 available under subsection (a)(5) of that
6 section; and

7 “(v) \$12,800,000 to be added to
8 funds available under subsection (b) of
9 that section; and

10 “(B) under section 14 of this Act,
11 \$420,000, to be added to funds available under
12 subsection (a)(1) of that section.

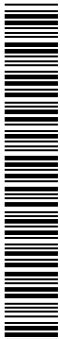
13 “(2) In fiscal year 2007, \$22,419,000 shall be
14 distributed—

15 “(A) under section 4 of this Act in the fol-
16 lowing manner:

17 “(i) \$8,075,000 to be added to funds
18 available under subsection (a)(2) of that
19 section;

20 “(ii) \$713,000 to be added to funds
21 available under subsection (a)(3) of that
22 section;

23 “(iii) \$713,000 to be added to funds
24 available under subsection (a)(4) of that
25 section;



1 “(iv) \$713,000 to be added to funds
2 available under subsection (a)(5) of that
3 section; and

4 “(v) \$11,925,000 to be added to
5 funds available under subsection (b) of this
6 Act; and

7 “(B) under section 14 of this Act,
8 \$280,000 to be added to funds available under
9 subsection (a)(1) of that section.

10 “(3) In fiscal year 2008, \$17,139,000 shall be
11 distributed—

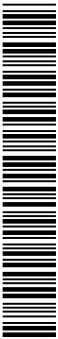
12 “(A) under section 4 of this Act in the fol-
13 lowing manner:

14 “(i) \$6,800,000 to be added to funds
15 available under subsection (a)(2) of that
16 section;

17 “(ii) \$333,000 to be added to funds
18 available under subsection (a)(3) of that
19 section;

20 “(iii) \$333,000 to be added to funds
21 available under subsection (a)(4) of that
22 section;

23 “(iv) \$333,000 to be added to funds
24 available under subsection (a)(5) of that
25 section; and



1 “(v) \$9,200,000 to be added to funds
2 available under subsection (b) of that sec-
3 tion; and

4 “(B) under section 14 of this Act,
5 \$140,000, to be added to funds available under
6 subsection (a)(1) of that section.

7 “(4) In fiscal year 2009, \$12,287,000 shall be
8 distributed—

9 “(A) under section 4 of this Act in the fol-
10 lowing manner:

11 “(i) \$5,100,000 to be added to funds
12 available under subsection (a)(2) of that
13 section;

14 “(ii) \$48,000 to be added to funds
15 available under subsection (a)(3) of that
16 section;

17 “(iii) \$48,000 to be added to funds
18 available under subsection (a)(4) of that
19 section;

20 “(iv) \$48,000 to be added to funds
21 available under subsection (a)(5) of that
22 section; and

23 “(v) \$6,900,000 to be added to funds
24 available under subsection (b) of that sec-
25 tion; and



1 “(B) under section 14 of this Act,
2 \$143,000, to be added to funds available under
3 subsection (a)(1) of that section.

4 “(5) In fiscal year 2010, all remaining funds in
5 the Account shall be distributed under section 4 of
6 this Act in the following manner:

7 “(A) one-third to be added to funds avail-
8 able under subsection (b); and

9 “(B) two-thirds to be added to funds avail-
10 able under subsection (h).”.

11 **CHAPTER 2—CLEAN VESSEL ACT OF 1992**

12 **AMENDMENTS**

13 **SEC. 10131. GRANT PROGRAM.**

14 Section 5604(c)(2) of the Clean Vessel Act of 1992
15 (33 U.S.C. 1322 note) is amended—

16 (1) by striking subparagraph (A);

17 (2) by redesignating subparagraphs (B) and
18 (C) as subparagraphs (A) and (B), respectively; and

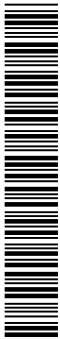
19 (3) in subparagraph (A), as so redesignated, by
20 striking “receptions” and inserting “reception”.

21 **CHAPTER 3—RECREATIONAL BOATING**

22 **SAFETY PROGRAM AMENDMENTS**

23 **SEC. 10141. TECHNICAL CORRECTION.**

24 Section 13102(a) of title 46, United States Code, is
25 amended by striking “the Boat Safety Account” and in-



1 serting “the Sport Fish Restoration and Boating Trust
2 Fund”.

3 **SEC. 10142. AVAILABILITY OF ALLOCATIONS.**

4 Section 13104(a) of title 46, United States Code, is
5 amended—

6 (1) by striking “2 years” in paragraph (1) and
7 inserting “3 years”; and

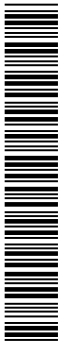
8 (2) by striking “2-year” in paragraph (2) and
9 inserting “3-year”.

10 **SEC. 10143. AUTHORIZATION OF APPROPRIATIONS FOR**
11 **STATE RECREATIONAL BOATING SAFETY**
12 **PROGRAMS.**

13 Section 13106 of title 46, United States Code, is
14 amended—

15 (1) in subsection (a)(1) by striking “the
16 amount appropriated from the Boat Safety Account
17 for that fiscal year” and inserting “the amount
18 made available from the Boat Safety Account for
19 that fiscal year under section 10119 of the
20 Sportfishing and Recreational Boating Safety Act of
21 2005”;

22 (2) in subsection (a)(1) by striking “section
23 4(b) of the Act of August 9, 1950 (16 U.S.C.
24 777c(b))” and inserting “subsection (a)(2) of section



1 4 of the Dingell-Johnson Sport Fish Restoration Act
2 (16 U.S.C. 777c(a)(2))”;

3 (3) in subsection (a)(2) by striking “not less
4 than one percent and”;

5 (4) in subsection (c)(1)—

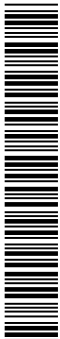
6 (A) by striking “Secretary of Transpor-
7 tation under paragraph (5)(C) of section 4(b)”
8 and inserting “Secretary under subsection
9 (a)(2) of section 4”;

10 (B) by striking “(16 U.S.C. 777c(b))” and
11 inserting “(16 U.S.C. 777c(a)(2))”;

12 (C) by striking “\$3,333,336” and inserting
13 “\$4,266,666”;

14 (D) by striking “\$1,333,336” and insert-
15 ing “not less than \$2,083,333”; and

16 (5) in subsection (c)(3) by striking “until ex-
17 pended.” and inserting “during the 2 succeeding fis-
18 cal years. Any amount that is unexpected or unobli-
19 gated at the end of the 3-year period during which
20 it is available shall be withdrawn by the Secretary
21 and allocated to the States in addition to any other
22 amounts available for allocation in the fiscal year in
23 which they are withdrawn or the following fiscal
24 year.”.



1 **Subtitle B—Other Miscellaneous**
2 **Provisions**

3 **SEC. 10201. NOTICE REGARDING PARTICIPATION OF SMALL**
4 **BUSINESS CONCERNS.**

5 The Secretary shall notify each State or political sub-
6 division of a State to which the Secretary awards a grant
7 or other Federal funds of the criteria for participation by
8 a small business concern in any program or project that
9 is funded, in whole or in part, by the Federal Government
10 under section 155 of the Small Business Reauthorization
11 and Manufacturing Assistance Act of 2004 (15 U.S.C.
12 567g).

13 **SEC. 10202. EMERGENCY MEDICAL SERVICES.**

14 (a) FEDERAL INTERAGENCY COMMITTEE ON EMER-
15 GENCY MEDICAL SERVICES.—

16 (1) ESTABLISHMENT.—The Secretary of Trans-
17 portation, the Secretary of Health and Human Serv-
18 ices, and the Secretary of Homeland Security, acting
19 through the Under Secretary for Emergency Pre-
20 paredness and Response, shall establish a Federal
21 Interagency Committee on Emergency Medical Serv-
22 ices.

23 (2) MEMBERSHIP.—The Interagency Com-
24 mittee shall consist of the following officials, or their
25 designees:



1 (A) The Administrator, National Highway
2 Traffic Safety Administration.

3 (B) The Director, Preparedness Division,
4 Directorate of Emergency Preparedness and
5 Response of the Department of Homeland Se-
6 curity.

7 (C) The Administrator, Health Resources
8 and Services Administration, Department of
9 Health and Human Services.

10 (D) The Director, Centers for Disease
11 Control and Prevention, Department of Health
12 and Human Services.

13 (E) The Administrator, United States Fire
14 Administration, Directorate of Emergency Pre-
15 paredness and Response of the Department of
16 Homeland Security.

17 (F) The Administrator, Centers for Medi-
18 care & Medicaid Services, Department of
19 Health and Human Services.

20 (G) The Under Secretary of Defense for
21 Personnel and Readiness.

22 (H) The Director, Indian Health Service,
23 Department of Health and Human Services.



1 (I) The Chief, Wireless Telecommuni-
2 cations Bureau, Federal Communications Com-
3 mission.

4 (J) A representative of any other Federal
5 agency appointed by the Secretary of Transpor-
6 tation or the Secretary of Homeland Security
7 through the Under Secretary for Emergency
8 Preparedness and Response, in consultation
9 with the Secretary of Health and Human Serv-
10 ices, as having a significant role in relation to
11 the purposes of the Interagency Committee.

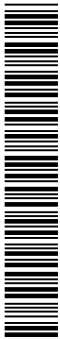
12 (K) A State emergency medical services di-
13 rector appointed by the Secretary.

14 (3) PURPOSES.—The purposes of the Inter-
15 agency Committee are as follows:

16 (A) To ensure coordination among the
17 Federal agencies involved with State, local, trib-
18 al, or regional emergency medical services and
19 9–1–1 systems.

20 (B) To identify State, local, tribal, or re-
21 gional emergency medical services and 9–1–1
22 needs.

23 (C) To recommend new or expanded pro-
24 grams, including grant programs, for improving
25 State, local, tribal, or regional emergency med-



1 ical services and implementing improved emer-
2 gency medical services communications tech-
3 nologies, including wireless 9–1–1.

4 (D) To identify ways to streamline the
5 process through which Federal agencies support
6 State, local, tribal or regional emergency med-
7 ical services.

8 (E) To assist State, local, tribal or regional
9 emergency medical services in setting priorities
10 based on identified needs.

11 (F) To advise, consult, and make rec-
12 ommendations on matters relating to the imple-
13 mentation of the coordinated State emergency
14 medical services programs.

15 (4) ADMINISTRATION.—The Administrator of
16 the National Highway Traffic Safety Administra-
17 tion, in cooperation with the Administrator of the
18 Health Resources and Services Administration of the
19 Department of Health and Human Services and the
20 Director of the Preparedness Division, Directorate
21 of Emergency Preparedness and Response of the
22 Department of Homeland Security, shall provide ad-
23 ministrative support to the Interagency Committee,
24 including scheduling meetings, setting agendas,
25 keeping minutes and records, and producing reports.



1 (5) LEADERSHIP.—The members of the Inter-
2 agency Committee shall select a chairperson of the
3 Committee each year.

4 (6) MEETINGS.—The Interagency Committee
5 shall meet as frequently as is determined necessary
6 by the chairperson of the Committee.

7 (7) ANNUAL REPORTS.—The Interagency Com-
8 mittee shall prepare an annual report to Congress
9 regarding the Committee’s activities, actions, and
10 recommendations.

11 **SEC. 10203. HUBZONE PROGRAM.**

12 Section 3(p)(4)(B)(ii) of the Small Business Act (15
13 U.S.C. 632(p)(4)(B)(ii)) is amended—

14 (1) in subclause (I) by striking “or” at the end;

15 (2) in subclause (II) by striking the period at
16 the end and inserting “; or”; and

17 (3) by adding after subclause (II) the following:

18 “(III) there is located a difficult
19 development area, as designated by
20 the Secretary of Housing and Urban
21 Development in accordance with sec-
22 tion 42(d)(5)(C)(iii) of the Internal
23 Revenue Code of 1986, within Alaska,
24 Hawaii, or any territory or possession



1 of the United States outside the 48
2 contiguous States.”.

3 **SEC. 10204. CATASTROPHIC HURRICANE EVACUATION**
4 **PLANS.**

5 (a) IN GENERAL.—The Secretary and the Secretary
6 of Homeland Security (referred to in this section as the
7 “Secretaries”), in coordination with the Gulf Coast States
8 and contiguous States, shall jointly review and assess Fed-
9 eral and State evacuation plans for catastrophic hurri-
10 canes impacting the Gulf Coast Region and report its find-
11 ings and recommendations to Congress.

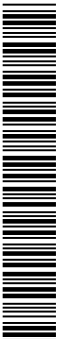
12 (b) CONSULTATION.—In carrying out this section,
13 the Secretaries shall consult with appropriate Federal,
14 State, and local transportation and emergency manage-
15 ment agencies.

16 (c) CONTENTS.—In conducting the review, the Secre-
17 taries shall consider, at a minimum—

18 (1) all practical modes of transportation avail-
19 able for evacuations;

20 (2) the extent to which evacuation plans are co-
21 ordinated with neighboring States;

22 (3) methods of communicating evacuation plans
23 and preparing citizens in advance of evacuations;
24 and



1 (4) methods of coordinating communication
2 with evacuees during plan execution.

3 (d) REPORT.—The Secretaries shall submit to Con-
4 gress a report of their findings under this section and rec-
5 ommendations not later than October 1, 2006.

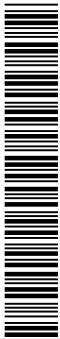
6 **SEC. 10205. INTERMODAL TRANSPORTATION FACILITY EX-**
7 **PANSION.**

8 Any funds provided for the Federal share, and any
9 funds provided for the non-Federal share, for an inter-
10 modal transportation maritime facility at the Port of An-
11 chorage, Alaska, or for access to that facility shall be
12 transferred to and administered by the Administrator of
13 the Maritime Administration.

14 **SEC. 10206. ELIGIBILITY TO PARTICIPATE IN WESTERN**
15 **ALASKA COMMUNITY DEVELOPMENT QUOTA**
16 **PROGRAM.**

17 A community shall be eligible to participate in the
18 western Alaska community development quota program
19 established under section 305(i) of the Magnuson-Stevens
20 Fishery Conservation and Management Act (16 U.S.C.
21 1855(i)) if the community—

22 (1) is listed in table 7 to part 679 of title 50,
23 Code of Federal Regulations, as in effect on March
24 8, 2004; or



1 (2) was determined to be eligible participate in
2 such program by the National Marine Fisheries
3 Service on April 19, 1999.

4 **SEC. 10207. RAIL REHABILITATION AND BRIDGE REPAIR.**

5 There are authorized to be appropriated to the Sec-
6 retary of Transportation for rail rehabilitation and bridge
7 repair in the State of Alabama for the period encom-
8 passing fiscal years 2006 through 2010 such sums as may
9 be necessary, for work on—

10 (1) the Luxapalila Valley Railroad from the
11 Mississippi and Alabama State line east to Belk,
12 Alabama;

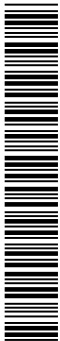
13 (2) the Meridian & Bigbee Railroad from the
14 Mississippi and Alabama State line east to
15 Burkeville, Alabama;

16 (3) the Three Notch Railroad from Georgiana,
17 Alabama, to Andalusia, Alabama;

18 (4) the Wiregrass Railroad in Alabama;

19 (5) the Alabama & Gulf Coast Railroad from
20 the Mississippi and Alabama State line southeast to
21 Mobile and Atmore in Alabama; and

22 (6) the railroad bridge that spans the Coosa
23 River, connecting the east and west sides of the City
24 of Gadsden, Alabama.



1 **SEC. 10208. RENTED OR LEASED MOTOR VEHICLES.**

2 (a) IN GENERAL.—Subchapter I of chapter 301 of
3 title 49, United States Code, is amended by adding at the
4 end the following:

5 **“§ 30106. Rented or leased motor vehicle safety and**
6 **responsibility**

7 “(a) IN GENERAL.—An owner of a motor vehicle that
8 rents or leases the vehicle to a person (or an affiliate of
9 the owner) shall not be liable under the law of any State
10 or political subdivision thereof, by reason of being the
11 owner of the vehicle (or an affiliate of the owner), for
12 harm to persons or property that results or arises out of
13 the use, operation, or possession of the vehicle during the
14 period of the rental or lease, if—

15 “(1) the owner (or an affiliate of the owner) is
16 engaged in the trade or business of renting or leas-
17 ing motor vehicles; and

18 “(2) there is no negligence or criminal wrong-
19 doing on the part of the owner (or an affiliate of the
20 owner).

21 “(b) FINANCIAL RESPONSIBILITY LAWS.—Nothing
22 in this section supersedes the law of any State or political
23 subdivision thereof—

24 “(1) imposing financial responsibility or insur-
25 ance standards on the owner of a motor vehicle for



1 the privilege of registering and operating a motor ve-
2 hicle; or

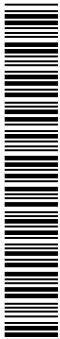
3 “(2) imposing liability on business entities en-
4 gaged in the trade or business of renting or leasing
5 motor vehicles for failure to meet the financial re-
6 sponsibility or liability insurance requirements under
7 State law.

8 “(c) APPLICABILITY AND EFFECTIVE DATE.—Not-
9 withstanding any other provision of law, this section shall
10 apply with respect to any action commenced on or after
11 the date of enactment of this section without regard to
12 whether the harm that is the subject of the action, or the
13 conduct that caused the harm, occurred before such date
14 of enactment.

15 “(d) DEFINITIONS.—In this section, the following
16 definitions apply:

17 “(1) AFFILIATE.—The term ‘affiliate’ means a
18 person other than the owner that directly or indi-
19 rectly controls, is controlled by, or is under common
20 control with the owner. In the preceding sentence,
21 the term ‘control’ means the power to direct the
22 management and policies of a person whether
23 through ownership of voting securities or otherwise.

24 “(2) OWNER.—The term ‘owner’ means a per-
25 son who is—



1 “(A) a record or beneficial owner, holder of
2 title, lessor, or lessee of a motor vehicle;

3 “(B) entitled to the use and possession of
4 a motor vehicle subject to a security interest in
5 another person; or

6 “(C) a lessor, lessee, or a bailee of a motor
7 vehicle, in the trade or business of renting or
8 leasing motor vehicles, having the use or posses-
9 sion thereof, under a lease, bailment, or other-
10 wise.

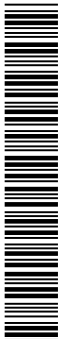
11 “(3) PERSON.—The term ‘person’ means any
12 individual, corporation, company, limited liability
13 company, trust, association, firm, partnership, soci-
14 ety, joint stock company, or any other entity.”.

15 (b) CLERICAL AMENDMENT.—The analysis for such
16 chapter is amended by inserting after the item relating
17 to section 30105 the following:

 “30106. Rented or leased motor vehicle safety and responsibility.”.

18 **SEC. 10209. MIDWAY ISLAND.**

19 (a) GRANTS.—In order to provide for both the safety
20 of commercial and military aviation operations and the
21 support of resource management in the remote Pacific, the
22 Commandant of the Coast Guard, in consultation with the
23 Secretary of Transportation and the Undersecretary of
24 Commerce for Oceans and Atmosphere, shall develop such
25 memoranda of understanding as may be necessary, and



1 to make grants or otherwise provide funding, to provide
2 for the operation of the Midway Airport, the rightsizing
3 of necessary infrastructure and support facilities, the
4 maintenance and development of the Airport, and other
5 related matters.

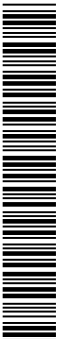
6 (b) AUTHORIZATION OF APPROPRIATIONS.—There
7 are authorized to be appropriated to the United States
8 Coast Guard, the Department of Transportation, and the
9 National Oceanic and Atmospheric Administration such
10 sums as may be necessary to carry out this section for
11 fiscal years 2006 through 2009.

12 **SEC. 10210. DEMONSTRATION OF DIGITAL PROJECT SIM-**
13 **ULATION.**

14 (a) IN GENERAL.—

15 (1) DIGITAL PROJECT SIMULATION DEM-
16 ONSTRATION PROJECT.—The Secretary shall estab-
17 lish a demonstration initiative using digital project
18 simulation to plan, design, and construct the project
19 listed in item 31 designated in section 1934 of the
20 SAFETEA-LU.

21 (2) COOPERATION.—To be eligible to receive
22 funds made available for the project referred to in
23 paragraph (1), the project sponsor, including private
24 entities working with the project sponsor on the
25 project, and the State shall enter into an agreement



1 to work cooperatively with the Secretary to use dig-
2 ital project simulation for such project and to evalu-
3 ate the effectiveness of using such simulation.

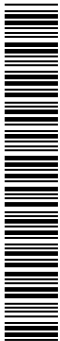
4 (b) SIMULATION PROGRAM DEVELOPMENT.—

5 (1) IN GENERAL.—In establishing the dem-
6 onstration initiative under subsection (a), the Sec-
7 retary shall provide, to the extent practicable, that—

8 (A) the planning, design, and construction
9 of the project is carried out by using digital
10 project simulation to achieve savings and effi-
11 ciency in investment planning, project delivery
12 coordination, and facility management; and

13 (B) in constructing such project, the
14 project sponsor use digital lifecycle management
15 techniques, including the use of embedded elec-
16 tronics and software to monitor performance of
17 the infrastructure and provide safety and secu-
18 rity information to the project sponsor.

19 (2) COLLABORATION.—The Secretary, the
20 State, and the project sponsor may consult with
21 technology companies and educational institutions
22 that strive to develop and enhance technologies, in-
23 cluding digital project simulation, that save money
24 and time by using efficient methods of design, con-



1 construction, and operation for transportation infra-
2 structure projects.

3 (c) REPORT.—

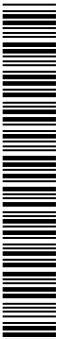
4 (1) IN GENERAL.—Not later than one year
5 after completion of the project described in sub-
6 section (a), the Secretary shall submit to the Com-
7 mittee on Transportation and Infrastructure of the
8 House of Representatives and the Committee on En-
9 vironment and Public Works of the Senate a detailed
10 report comparing the application of digital project
11 simulation for such project to more traditional ap-
12 proaches to planning, design, and construction.

13 (2) PERFORMANCE MEASURES AND REC-
14 OMMENDATIONS.—The report shall also include—

15 (A) a description of the performance meas-
16 ures applied, including cost comparisons and
17 length of construction; and

18 (B) recommendations, if any, for adminis-
19 trative or legislative action.

20 (d) DEFINITION.—For purposes of this section, the
21 term “digital project simulation” means computer-assisted
22 three-dimensional technology and digital lifecycle manage-
23 ment.



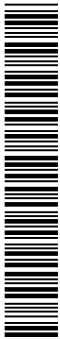
1 **SEC. 10211. ENVIRONMENTAL PROGRAMS.**

2 (a) OKLAHOMA.—Notwithstanding any other provi-
3 sion of law, if the Administrator of the Environmental
4 Protection Agency (referred to in this section as the “Ad-
5 ministrator”) determines that a regulatory program sub-
6 mitted by the State of Oklahoma for approval by the Ad-
7 ministrator under a law administered by the Adminis-
8 trator meets applicable requirements of the law, and the
9 Administrator approves the State to administer the State
10 program under the law with respect to areas in the State
11 that are not Indian country, on request of the State, the
12 Administrator shall approve the State to administer the
13 State program in the areas of the State that are in Indian
14 country, without any further demonstration of authority
15 by the State.

16 (b) TREATMENT AS STATE.—Notwithstanding any
17 other provision of law, the Administrator may treat an In-
18 dian tribe in the State of Oklahoma as a State under a
19 law administered by the Administrator only if—

20 (1) the Indian tribe meets requirements under
21 the law to be treated as a State; and

22 (2) the Indian tribe and the agency of the State
23 of Oklahoma with federally delegated program au-
24 thority enter into a cooperative agreement, subject
25 to review and approval of the Administrator after
26 notice and opportunity for public hearing, under



1 which the Indian tribe and that State agency agree
2 to treatment of the Indian tribe as a State and to
3 jointly plan administer program requirements.

4 **SEC. 10212. RESCISSION OF UNOBLIGATED BALANCES.**

5 (a) IN GENERAL.—On September 30, 2009,
6 \$8,543,000,000 of the unobligated balances of funds ap-
7 portioned before such date to the States for the Interstate
8 maintenance, national highway system, bridge, congestion
9 mitigation and air quality improvement, surface transpor-
10 tation (other than the STP set-aside programs), metro-
11 politan planning, minimum guarantee, Appalachian devel-
12 opment highway system, recreational trails, safe routes to
13 school, freight intermodal connectors, coordinated border
14 infrastructure, high risk rural road, and highway safety
15 improvement programs, and each of the STP set-aside
16 programs, is rescinded.

17 (b) ALLOCATION AMONG STATES.—The Secretary
18 shall determine each State's share of the amount to be
19 rescinded by subsection (a) on September 30, 2009, by
20 multiplying \$8,543,000,000 by the ratio of the aggregate
21 amount apportioned to such State for fiscal years 2004
22 through 2009 for all the programs referred to in sub-
23 section (a) to the aggregate amount apportioned to all
24 States for such fiscal years for those programs.



1 (c) CALCULATIONS.—To determine the allocation of
2 the amount to be rescinded for a State under subsection
3 (b) among the programs referred to in subsection (a), the
4 Secretary shall make the following calculations:

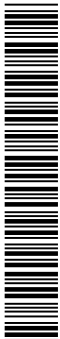
5 (1) The Secretary shall multiply such amount
6 to be rescinded by the ratio that the aggregate
7 amount of unobligated funds available to the State
8 on September 30, 2009, for each such program
9 bears to the aggregate amount of unobligated funds
10 available to the State on September 30, 2009, for all
11 such programs.

12 (2) The Secretary shall multiply such amount
13 to be rescinded by the ratio that the aggregate of
14 the amount apportioned to the State for each such
15 program for fiscal years 2004 through 2009 bears to
16 the aggregate amount apportioned to the State for
17 all such programs for fiscal years 2004 through
18 2009.

19 (d) ALLOCATION AMONG PROGRAMS.—

20 (1) IN GENERAL.—The Secretary, in consulta-
21 tion with the State, shall rescind for the State from
22 each program referred to in subsection (a) the
23 amount determined for the program under sub-
24 section (c)(1).

25 (2) SPECIAL RULE.—



1 (A) RESTORATION OF FUNDS FOR COV-
2 ERED PROGRAMS.—If the rescission calculated
3 under subsection (c)(1) for a covered program
4 exceeds the amount calculated for the covered
5 program under subsection (c)(2), the State
6 shall immediately restore to the apportionment
7 account for the covered program from the unob-
8 ligated balances of programs referred to in sub-
9 section (a) (other than covered programs) the
10 amount of funds required so that the net rescis-
11 sion from the covered program does not exceed
12 the amount calculated for the covered program
13 under subsection (c)(2).

14 (B) TREATMENT OF RESTORED FUNDS.—
15 Any funds restored under subparagraph (A)
16 shall be deemed to be the funds that were re-
17 scinded for the purposes of obligation.

18 (3) COVERED PROGRAM DEFINED.—In para-
19 graph (2), the term “covered program” means a
20 program authorized under sections 130 and 152 of
21 title 23, United States Code, paragraph (2) or (3)
22 of section 133(d) of that title, section 144 of that
23 title, section 149 of that title, or section 1404 of this
24 Act.



1 (e) TREATMENT OF SAFETY PROGRAMS.—In making
2 calculations under subsections (c)(1), (c)(2), and (d)(2),
3 the Secretary shall treat the STP set-aside program for
4 safety programs and the highway safety improvement pro-
5 gram as a single program.

6 (f) STP SET-ASIDE PROGRAM DEFINED.—In this
7 section, the term “STP set-aside program” means the
8 amount set aside under section 133(d) of title 23, United
9 States Code, for each of the safety programs, transpor-
10 tation enhancement activities, and division between urban-
11 ized areas of over 200,000 population and other areas.

12 **SEC. 10213. TRIBAL LAND.**

13 Section 707(a) of Public Law 106–568 (25 U.S.C.
14 1041e(a)) is amended—

15 (1) in paragraph (1) by striking “(1) IN GEN-
16 ERAL.—”; and

17 (2) by striking paragraph (2).

18 **Subtitle C—Specific Vehicle Safety-**
19 **related Rulings**

20 **SEC. 10301. VEHICLE ROLLOVER PREVENTION AND CRASH**
21 **MITIGATION.**

22 (a) IN GENERAL.—Subchapter II of chapter 301 is
23 amended by adding at the end the following:



1 **“§ 30128. Vehicle rollover prevention and crash miti-**
2 **gation**

3 “(a) IN GENERAL.—The Secretary shall initiate rule-
4 making proceedings, for the purpose of establishing rules
5 or standards that will reduce vehicle rollover crashes and
6 mitigate deaths and injuries associated with such crashes
7 for motor vehicles with a gross vehicle weight rating of
8 not more than 10,000 pounds.

9 “(b) ROLLOVER PREVENTION.—One of the rule-
10 making proceedings initiated under subsection (a) shall be
11 to establish performance criteria to reduce the occurrence
12 of rollovers consistent with stability enhancing tech-
13 nologies. The Secretary shall issue a proposed rule in this
14 proceeding by rule by October 1, 2006, and a final rule
15 by April 1, 2009.

16 “(c) OCCUPANT EJECTION PREVENTION.—

17 “(1) IN GENERAL.—The Secretary shall also
18 initiate a rulemaking proceeding to establish per-
19 formance standards to reduce complete and partial
20 ejections of vehicle occupants from outboard seating
21 positions. In formulating the standards the Sec-
22 retary shall consider various ejection mitigation sys-
23 tems. The Secretary shall issue a final rule under
24 this paragraph no later than October 1, 2009.

25 “(2) DOOR LOCKS AND DOOR RETENTION.—
26 The Secretary shall complete the rulemaking pro-



1 ceeding initiated to upgrade Federal Motor Vehicle
2 Safety Standard No. 206, relating to door locks and
3 door retention, no later than 30 months after the
4 date of enactment of this section.

5 “(d) PROTECTION OF OCCUPANTS.—One of the rule-
6 making proceedings initiated under subsection (a) shall be
7 to establish performance criteria to upgrade Federal
8 Motor Vehicle Safety Standard No. 216 relating to roof
9 strength for driver and passenger sides. The Secretary
10 may consider industry and independent dynamic tests that
11 realistically duplicate the actual forces transmitted during
12 a rollover crash. The Secretary shall issue a proposed rule
13 by December 31, 2005, and a final rule by July 1, 2008.

14 “(e) DEADLINES.—If the Secretary determines that
15 the deadline for a final rule under this section cannot be
16 met, the Secretary shall—

17 “(1) notify the Senate Committee on Com-
18 merce, Science, and Transportation and the House
19 of Representatives Committee on Energy and Com-
20 merce and explain why that deadline cannot be met;
21 and

22 “(2) establish a new deadline.”.



1 **SEC. 10302. SIDE-IMPACT CRASH PROTECTION RULE-**
2 **MAKING.**

3 (a) RULEMAKING.—The Secretary shall complete a
4 rulemaking proceeding under chapter 301 of title 49,
5 United States Code, to establish a standard designed to
6 enhance passenger motor vehicle occupant protection, in
7 all seating positions, in side impact crashes. The Secretary
8 shall issue a final rule by July 1, 2008.

9 (b) DEADLINES.—If the Secretary determines that
10 the deadline for a final rule under this section cannot be
11 met, the Secretary shall—

12 (1) notify the Senate Committee on Commerce,
13 Science, and Transportation and the House of Rep-
14 resentatives Committee on Energy and Commerce
15 and explain why that deadline cannot be met; and

16 (2) establish a new deadline.

17 **SEC. 10303. TIRE RESEARCH.**

18 Within 2 years after the date of enactment of this
19 Act, the Secretary shall transmit a report to the Senate
20 Committee on Commerce, Science, and Transportation
21 and the House of Representatives Committee on Energy
22 and Commerce on research conducted to address tire
23 aging. The report shall include a summary of any Federal
24 agency findings, activities, conclusions, and recommenda-
25 tions concerning tire aging and recommendations for po-
26 tential rulemaking regarding tire aging.



1 (a) CONFORMING AMENDMENT.—The chapter anal-
2 ysis for chapter 301 is amended by inserting after the item
3 relating to section 30127 the following:

“30128. Vehicle accident ejection protection.”.

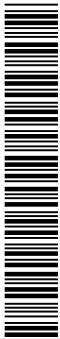
4 **SEC. 10304. VEHICLE BACKOVER AVOIDANCE TECHNOLOGY**
5 **STUDY.**

6 (a) IN GENERAL.—The Administrator of the Na-
7 tional Highway Traffic Safety Administration shall con-
8 duct a study of effective methods for reducing the inci-
9 dence of injury and death outside of parked passenger
10 motor vehicles with a gross vehicle weight rating of not
11 more than 10,000 pounds attributable to movement of
12 such vehicles. The Administrator shall complete the study
13 within 1 year after the date of enactment of this Act and
14 report its findings to the Senate Committee on Commerce,
15 Science, and Transportation and the House of Represent-
16 atives Committee on Energy and Commerce not later than
17 15 months after the date of enactment of this Act.

18 (b) SPECIFIC ISSUES TO BE COVERED.—The study
19 required by subsection (a) shall—

20 (1) include an analysis of backover prevention
21 technology;

22 (2) identify, evaluate, and compare the available
23 technologies for detecting people or objects behind a
24 motor vehicle with a gross vehicle weight rating of



1 not more than 10,000 pounds for their accuracy, ef-
2 fectiveness, cost, and feasibility for installation; and

3 (3) provide an estimate of cost savings that
4 would result from widespread use of backover pre-
5 vention devices and technologies in motor vehicles
6 with a gross vehicle weight rating of not more than
7 10,000 pounds, including savings attributable to the
8 prevention of—

9 (A) injuries and fatalities; and

10 (B) damage to bumpers and other motor
11 vehicle parts and damage to other objects.

12 **SEC. 10305. NONTRAFFIC INCIDENT DATA COLLECTION.**

13 (a) IN GENERAL.—In conjunction with the study re-
14 quired in section 10304, the National Highway Traffic
15 Safety Administration shall establish a method to collect
16 and maintain data on the number and types of injuries
17 and deaths involving motor vehicles with a gross vehicle
18 weight rating of not more than 10,000 pounds in non-traf-
19 fic incidents.

20 (b) DATA COLLECTION AND PUBLICATION.—The
21 Secretary of Transportation shall publish the data col-
22 lected under subsection (a) no less frequently than bienni-
23 ally.



1 **SEC. 10306. STUDY OF SAFETY BELT USE TECHNOLOGIES.**

2 The Secretary shall conduct a review of safety belt
3 use technologies to consider possible revisions in strategies
4 for achieving further gains in safety belt use. The Sec-
5 retary shall complete the study by July 1, 2008.

6 **SEC. 10307. AMENDMENT OF AUTOMOBILE INFORMATION**
7 **DISCLOSURE ACT.**

8 (a) SAFETY LABELING REQUIREMENT.—Section 3 of
9 the Automobile Information Disclosure Act (15 U.S.C.
10 1232) is amended—

11 (1) by striking “and” after the semicolon in
12 subsection (e);

13 (2) by inserting “and” after the semicolon in
14 subsection (f)(3);

15 (3) by striking “(3).” in subsection (f)(4) and
16 inserting “(3);” and

17 (4) by adding at the end the following:

18 “(g) if 1 or more safety ratings for such automobile
19 have been assigned and formally published or released by
20 the National Highway Traffic Safety Administration
21 under the New Car Assessment Program, information
22 about safety ratings that—

23 “(1) includes a graphic depiction of the number
24 of stars, or other applicable rating, that corresponds
25 to each such assigned safety rating displayed in a



1 clearly differentiated fashion indicating the max-
2 imum possible safety rating;

3 “(2) refers to frontal impact crash tests, side
4 impact crash tests, and rollover resistance tests
5 (whether or not such automobile has been assigned
6 a safety rating for such tests);

7 “(3) contains information describing the nature
8 and meaning of the crash test data presented and a
9 reference to additional vehicle safety resources, in-
10 cluding <http://www.safecar.gov>; and

11 “(4) is presented in a legible, visible, and
12 prominent fashion and covers at least—

13 “(A) 8 percent of the total area of the
14 label; or

15 “(B) an area with a minimum length of 4
16 ½ inches and a minimum height of 3 ½ inches;
17 and

18 “(h) if an automobile has not been tested by the Na-
19 tional Highway Traffic Safety Administration under the
20 New Car Assessment Program, or safety ratings for such
21 automobile have not been assigned in one or more rating
22 categories, a statement to that effect.”.

23 (b) REGULATIONS.—The Secretary of Transportation
24 shall issue regulations to ensure that the labeling require-
25 ments under subsections (g) and (h) of section 3 of the



1 Automobile Information Disclosure Act, as added by sub-
2 section (a), are implemented by September 1, 2007.

3 (c) AUTHORIZATION OF APPROPRIATIONS.—There
4 are authorized to be appropriated to the Secretary of
5 Transportation, to accelerate the testing processes and in-
6 creasing the number of vehicles tested under the New Car
7 Assessment Program of the National Highway Traffic
8 Safety Administration—

- 9 (1) \$15,000,000 for fiscal year 2006;
10 (2) \$8,134,065 for fiscal year 2007;
11 (3) \$8,418,760 for fiscal year 2008;
12 (4) \$8,713,410 for fiscal year 2009; and
13 (5) \$9,018,385 for fiscal year 2010.

14 **SEC. 10308. POWER WINDOW SWITCHES.**

15 The Secretary shall upgrade Federal Motor Vehicle
16 Safety Standard 118 to require that power windows in
17 motor vehicles not in excess of 10,000 pounds have switch-
18 es that raise the window only when the switch is pulled
19 up or out. The Secretary shall issue a final rule imple-
20 menting this section by April 1, 2007.

21 **SEC. 10309. 15-PASSENGER VAN SAFETY.**

22 (a) TESTING.—

23 (1) IN GENERAL.—The Secretary of Transpor-
24 tation shall require the testing of 15-passenger vans
25 as part of the rollover resistance program of the Na-



1 tional Highway Traffic Safety Administration's new
2 car assessment program.

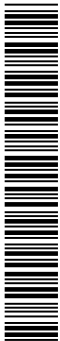
3 (2) 15-PASSENGER VAN DEFINED.—In this sub-
4 section, the term “15-passenger van” means a vehi-
5 cle that seats 10 to 14 passengers, not including the
6 driver.

7 (b) PROHIBITION OF PURCHASE, RENTAL, OR LEASE
8 OF NONCOMPLYING 15-PASSENGER VANS FOR SCHOOL
9 USE.—Section 30112(a) is amended—

10 (1) by inserting “(1)” before “Except as pro-
11 vided”; and

12 (2) by adding at the end the following:

13 “(2) Except as provided in this section, sections
14 30113 and 30114 of this title, and subchapter III of this
15 chapter, a school or school system may not purchase or
16 lease a new 15-passenger van if it will be used significantly
17 by, or on behalf of, the school or school system to trans-
18 port preprimary, primary, or secondary school students to
19 or from school or an event related to school, unless the
20 15-passenger van complies with the motor vehicle stand-
21 ards prescribed for school buses and multifunction school
22 activity buses under this title. This paragraph does not
23 apply to the purchase or lease of a 15-passenger van under
24 a contract executed before the date of enactment of this
25 paragraph.”.



1 (c) PENALTY.—Section 30165(a) is amended—

2 (1) by redesignating paragraph (2) as para-
3 graph (3); and

4 (2) by inserting after paragraph (1) the fol-
5 lowing:

6 “(2) SCHOOL BUSES.—

7 “(A) IN GENERAL.—Notwithstanding para-
8 graph (1), the maximum amount of a civil pen-
9 alty under this paragraph shall be \$10,000 in
10 the case of—

11 “(i) the manufacture, sale, offer for sale,
12 introduction or delivery for introduction into
13 interstate commerce, or importation of a school
14 bus or school bus equipment (as those terms
15 are defined in section 30125(a) of this title) in
16 violation of section 30112(a)(1) of this title; or

17 “(ii) a violation of section 30112(a)(2) of
18 this title.

19 “(B) RELATED SERIES OF VIOLATIONS.—

20 A separate violation occurs for each motor vehi-
21 cle or item of motor vehicle equipment and for
22 each failure or refusal to allow or perform an
23 act required by that section. The maximum
24 penalty under this paragraph for a related se-
25 ries of violations is \$15,000,000.”.



1 **SEC. 10310. AUTHORIZATION OF APPROPRIATIONS.**

2 There are authorized to be appropriated to the Sec-
3 retary to carry out this subtitle, chapter 301 of title 49,
4 and part C of subtitle VI of title 49, United States Code—

5 (1) \$136,000,000 for fiscal year 2006;

6 (2) \$142,800,000 for fiscal year 2007;

7 (3) \$149,900,000 for fiscal year 2008; and

8 (4) \$157,400,000 for fiscal year 2009.

